

E.D.N.Y.
20-mj-403
Brodie, J.
Gold, M.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 5th day of June, two thousand twenty.

Present:

Barrington D. Parker,
Michael H. Park,
William J. Nardini,
Circuit Judges.

United States of America,

Plaintiff-Appellant,

v.

20-1713

Colinford Mattis, Urooj Rahman,

Defendants-Appellees.

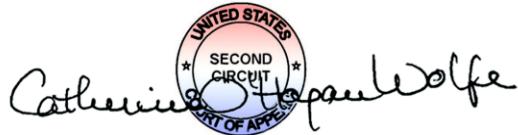
The Government moves for a stay, pending appeal, of the district court's order releasing Defendants-Appellees on bond, subject to conditions including home detention and electronic monitoring. It is hereby ORDERED that the stay motion is GRANTED. Whether to grant a stay is "an exercise of judicial discretion" that requires consideration of the relevant factors, including, most critically, the likelihood of success on the merits and irreparable harm to the movant absent a stay. *Nken v. Holder*, 556 U.S. 418, 433–34 (2009) (quoting *Virginian Ry. Co. v. United States*, 272 U.S. 658, 672 (1926)).

The United States Marshals are directed to take Defendants into custody forthwith. Defendants shall be detained pending further order of this Court.

It is further ORDERED that the appeal shall be expedited. The Government shall file its opening brief no later than 11:59pm on June 10, 2020; Defendants-Appellees shall file their responsive briefs no later than 11:59pm on June 16, 2020; and the Government shall file any reply brief no

later than 11:59pm on June 18, 2020. The Clerk is directed to calendar the appeal with the first available panel thereafter.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court




A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit